

February 10, 2004

MEMORANDUM TO: Ashok C. Thadani, Director, RES  
Martin J. Virgilio, Director, NMSS  
Stuart A. Treby, OGC  
Michael T. Lesar, Chief, ADM/DAS/RDB

FROM: Catherine Haney, Program Director */RA/*  
Policy and Rulemaking Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

SUBJECT: REQUESTED CONCURRENCE ON FINAL CRITERIA FOR THE  
TREATMENT OF INDIVIDUAL REQUIREMENTS IN A REGULATORY  
ANALYSIS

Your concurrence is requested on the attached Commission paper which identifies the final criteria for the treatment of individual requirements in a regulatory analysis.

Background:

On December 27, 2002, the staff submitted SECY-02-0225, "Proposed Criteria for the Treatment of Individual Requirements in a Regulatory Analysis" and sought Commission approval to publish the criteria for public comment. On March 23, 2003, the Commission sent a staff requirements memorandum which approved the staff's request. The criteria were subsequently published in the *Federal Register* (68 FR 19162) on April 18, 2003. Two sets of comments were submitted in response to the publication. The staff has reviewed these comments in detail and has made no significant changes to the criteria as a result. Following your concurrence, the staff will request the Commission's approval to publish the criteria in the Regulatory Analysis Guidelines. The staff also will request the Commission to approve proposed conforming changes in the Guidelines based on recent OMB guidance in Circular A-4.

The following material summarizes this request:

1. Title: Final Criteria for the Treatment of Individual Requirements in a Regulatory Analysis
2. NRR Task Leader: Brian Richter, 415-1978
3. Cognizant Individuals: James Morris - NMSS  
Sidney Feld - RES  
Geary Mizuno - OGC
4. Requested Action: Office Concurrence on the Commission Paper
5. Requested Completion Date: February 19, 2004

Attachment: Commission paper w/atts.

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Policy and Rulemaking Program, NRR/DRIP/RPRP

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\*See previous concurrence

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